

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MICHAEL DURAN,  
Petitioner,  
v.  
GAVIN NEWSOM, et al.,  
Respondent.

Case No. 2:23-cv-01910-DJC-JDP (HC)

ORDER

Petitioner, represented by counsel, has filed this application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 3, 2024, the Magistrate Judge filed findings and recommendations herein which were served on Petitioner, and which contained notice to Petitioner that any objections to the findings and recommendations were to be filed within fourteen days. Petitioner has not filed objections to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed October 3, 2024, are adopted in full;
2. The amended petition, ECF No. 7, is DISMISSED for failure to state a cognizable claim.
3. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253; and
4. The Clerk of Court is directed to close this case and to enter judgment accordingly.

IT IS SO ORDERED.

Dated: **December 20, 2024**

  
Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE